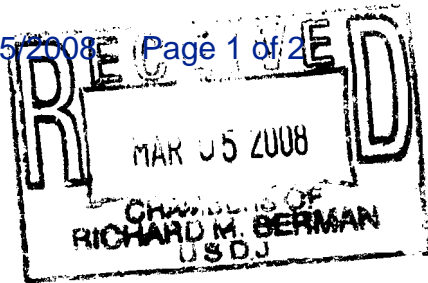
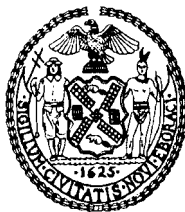


MEMORANDUM



MICHAEL A. CARDOZO
Corporation Counsel

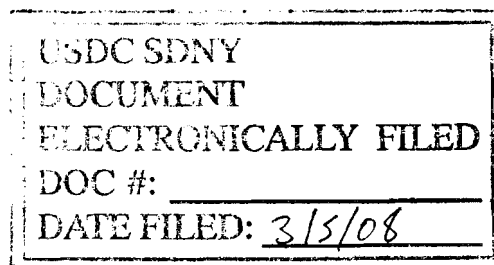
THE CITY OF NEW YORK
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March 4, 2008

VIA HAND DELIVERY

Honorable Richard M. Berman
United States District Judge, SDNY
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007



Re: Mark Kapiti v. Raymond W. Kelly, et al., 07 Civ. 3782 (RMB) (KNF)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the defense of the above-referenced matter on behalf of defendants City of New York, Police Commissioner Raymond W. Kelly, and the Property Clerk of the New York City Police Department ("NYPD").¹ In that regard I write to respectfully request that the Court adjourn the conference, scheduled for March 6, 2008 at 10:30 a.m. to either March 18, 2008, March 19, 2008, or the morning of March 20, 2008. Counsel for defendants has two court conferences and a meeting which conflict with the conference scheduled for March 6, 2008. Therefore, defendants respectfully request that the conference be adjourned until either March 18, 2008, March 19, 2008, or the morning of March 20, 2008. Counsel for plaintiff has consented to this request and is available on those dates.

¹ This case has been assigned to Assistant Corporation Counsel Philip S. Frank, who is presently awaiting admission to practice law in the Southern District of New York and is handling this matter under supervision. Mr. Frank may be reached directly at (212) 788-0893.

I thank the Court for its consideration herein.

Respectfully submitted,

David M. Hazan

David M. Hazan (DH-8611)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Via Facsimile (212) 297-0777
Steven L. Kessler, Esq.
122 East 42nd Street, Suite 606
New York, NY 10168

<u>Adjourn conference</u>	
<u>to 3/18/08 @ 9:00 AM</u>	
SO ORDERED:	<u><i>Richard M. Berman</i></u> Richard M. Berman, U.S.D.J.
Date: <u>3/5/08</u>	